

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 PART I. GENERAL PROVISIONS

5 Section 101. Short Title. This Act may be cited as the  
6 Illinois Religious Freedom Protection and Civil Unions Act.

7 Section 102. Religious Freedom. Nothing in this Act shall  
8 be construed to interfere with or regulate religious practice  
9 of the many faiths in Illinois that grant the status,  
10 sacrament, and blessing of marriage under wholly separate  
11 religious rules, practices, or traditions of such faiths.  
12 Additionally, nothing in this Act shall be construed as to  
13 require any religious body, Indian Nation, Indian Tribe, Native  
14 Group, or officiant thereof to solemnize or officiate a civil  
15 union or to prohibit any religious body, Indian Nation, Indian  
16 Tribe, Native Group, or officiant thereof from solemnizing or  
17 officiating a civil union. Any religious body, Indian Nation or  
18 Tribe or Native Group or officiant thereof is free to choose  
19 whether or not to solemnize and whether or not to officiate  
20 civil unions.

21 Section 103. Legislative Findings. The General Assembly

1 finds that:

2 (a) Legal recognition of marriage by Illinois is the  
3 primary and, in a number of instances, the exclusive source of  
4 numerous protections and responsibilities under the laws of  
5 Illinois for parties to a marriage and their children. These  
6 protections and responsibilities that are associated with  
7 marriage in Illinois are available only to opposite-sex  
8 couples. Thus, same-sex couples and their children are denied  
9 equal access to these protections and responsibilities.

10 (b) Many gay and lesbian residents of Illinois have formed  
11 lasting, committed, caring, and faithful relationships with a  
12 person of the same sex. These couples live together, serve and  
13 participate together in their communities, and rear children  
14 and care for family members together. Without the legal  
15 protections and responsibilities currently associated only  
16 with marriage, same-sex couples in Illinois suffer numerous  
17 obstacles and hardships.

18 (c) Illinois has a strong interest in promoting stable and  
19 lasting families, including families headed by a same-sex  
20 couple.

21 (d) There is a compelling interest and a rational basis for  
22 Illinois to permit same-sex couples the same protections and  
23 responsibilities afforded spouses under Illinois law.

24 (e) With this Act, Illinois builds on a long tradition of  
25 respect for individual rights and responsibilities, the  
26 commitments of spouses to each other and their families, and

1 equal protection of the laws. Accordingly, it is the public  
2 policy of this State to continue Illinois' history as a state  
3 in affording equal treatment and respect for all residents of  
4 Illinois as embodied in Article I, Sections 2 and 18 of the  
5 Illinois Constitution of 1970.

6 (f) It is also the public policy of this State to allow and  
7 to respect the private decision of all its residents to bind  
8 themselves to the obligations of and rights related to family  
9 relationships that are codified in this Act and set forth  
10 elsewhere under Illinois law.

11 Section 104. Definitions. For purposes of this Act:

12 "Civil union" means that 2 eligible persons have  
13 established a relationship pursuant to this Act, and may  
14 receive the protections and benefits of and be subject to the  
15 responsibilities of partners in a civil union.

16 "Civil union certificate" means a document that certifies  
17 that the persons named on the certificate have complied with  
18 the laws of the State of Illinois to establish a civil union in  
19 compliance with this Act.

20 "Partner in a civil union" and "partner to a civil union"  
21 mean a person who has established a civil union pursuant to  
22 this Act.

23 "Partners in a civil union" and "partners joined in a civil  
24 union" mean the 2 persons who have established a civil union  
25 between them pursuant to this Act.

1           Section 105. Protections and Responsibilities of Persons  
2           Joined in Civil Union.

3           (a) Partners joined in a civil union shall have all the  
4           same protections, benefits, and responsibilities under law,  
5           whether they derive from statute, administrative or court rule,  
6           policy, common law or any other source of civil or criminal  
7           law, as are granted to spouses in a marriage.

8           (b) Partners joined in a civil union shall be included in  
9           any definition or use of the terms "spouse", "family",  
10          "immediate family", "dependent", "next of kin", "husband",  
11          "wife", "out of wedlock", and other terms that denote the  
12          spousal relationship, as those terms are used throughout the  
13          law. The term "marriage" as it is used throughout the law,  
14          whether in statutes, administrative or court rule, policy,  
15          common law or any other source of civil or criminal law,  
16          without limitation shall be read, interpreted, and understood  
17          to include marriage and civil union.

18          (c) This Act shall be liberally construed and applied to  
19          promote its underlying purpose, which is to provide both  
20          eligible same-sex and opposite-sex couples the opportunity to  
21          obtain the same protections, benefits, and responsibilities  
22          afforded by the laws of Illinois to parties to a marriage.

23          (d) Partners joined in a civil union are responsible for  
24          the support of one another to the same degree and in the same  
25          manner as prescribed under law for parties to a marriage. The

1 whole of this State's law concerning domestic relations,  
2 probate, and family law applies equally to parties in a civil  
3 union as it does to parties to marriage. The dissolution of a  
4 civil union shall follow the same procedures and be subject to  
5 the same substantive rights and obligations that are involved  
6 in the dissolution of marriage. The laws of domestic  
7 relationships, including declaration of invalidity, premarital  
8 and antenuptial agreements, legal separation, dissolution,  
9 child custody and support, evaluation of a child's best  
10 interest, child visitation, disposition of property and  
11 maintenance, post-relationship spousal support, and attorney's  
12 fees, applies to partners in a civil union. Partners in a civil  
13 union may modify the terms, conditions, or effects of their  
14 civil union in the same manner and to the same extent as  
15 married persons who execute an antenuptial agreement or other  
16 agreement recognized and enforceable under the law, setting  
17 forth particular understandings with respect to their union.  
18 All contracts made between persons in contemplation of a civil  
19 union shall remain in full force after such civil union takes  
20 place. The rights of partners in a civil union with respect to  
21 a child of whom either becomes a parent during the term of the  
22 civil union are the same as those of parties to a marriage with  
23 respect to a child of whom either spouse becomes the parent  
24 during the marriage.

25 (e) The following is a nonexclusive list of legal  
26 protections, benefits, and responsibilities of parties to a

1 marriage, which applies in like manner to parties to a civil  
2 union:

3 (1) Law and procedure relating to title, tenure,  
4 descent, and distribution in estate succession, and  
5 relating to transfer by purchase, legacy, or descent of  
6 real or personal property as provided in Chapter 755 of the  
7 Illinois Compiled Statutes;

8 (2) Probate law and procedure as provided in the  
9 Probate Act of 1975;

10 (3) Trust and fiduciaries laws and procedures as  
11 provided in Chapter 760 of the Illinois Compiled Statutes;

12 (4) Property law and procedures as provided in Chapter  
13 765 of the Illinois Compiled Statutes;

14 (5) Causes of actions related to or dependent upon  
15 spousal status, including actions for wrongful death,  
16 emotional distress, loss of consortium or other torts, or  
17 actions under contract related to or dependent upon spousal  
18 status;

19 (6) The rights of spouses to be sued and sue each other  
20 under the Rights of Married Persons Act;

21 (7) Financial assistance available to family members  
22 of innocent victims under the Crime Victim Compensation  
23 Act;

24 (8) Antenuptial and premarital agreements as provided  
25 in the Illinois Uniform Premarital Agreement Act and  
26 Section 503 of the Illinois Marriage and Dissolution of

1 Marriage Act;

2 (9) Declaration of invalidity, legal separation, and  
3 dissolution law and procedures as provided in the Illinois  
4 Marriage and Dissolution of Marriage Act;

5 (10) Family law and procedures as provided in Chapter  
6 750 of the Illinois Compiled Statutes;

7 (11) Adoption law and procedures under the Adoption  
8 Act;

9 (12) Prohibitions against discrimination based upon  
10 marital status under the Illinois Human Rights Act;

11 (13) Group insurance for state and municipal employees  
12 under the State Employees Group Insurance Act of 1971;

13 (14) Accident and health insurance protections tied to  
14 former spouses, dependents, and immediate family provided  
15 in Article XX of the Illinois Insurance Code;

16 (15) Veteran benefits as provided in Chapter 330 of the  
17 Illinois Compiled Statutes and the Department of Veterans  
18 Affairs Act;

19 (16) Workers' compensation as provided by the Workers'  
20 Compensation Act and the Workers' Occupational Diseases  
21 Act;

22 (17) Assignment of wages as provided in the Illinois  
23 Wage Assignment Act;

24 (18) Public assistance benefits under State law;

25 (19) Taxes imposed by and tax deductions based on  
26 marital status under State or municipal tax law;

1           (20) Surrogate decision making for medical treatment  
2 under the Health Care Surrogate Act;

3           (21) Order of protection law and procedures as provided  
4 under the Illinois Domestic Violence Act of 1986;

5           (22) Domestic violence protections pursuant to the  
6 Illinois Domestic Violence Act of 1986 and other domestic  
7 violence programs;

8           (23) Address confidentiality law and procedures as  
9 provided in the Address Confidentiality for Victims of  
10 Domestic Violence Act;

11           (24) Spousal surname changes procedures provided under  
12 Illinois Marriage and Dissolution of Marriage Act;

13           (25) Marital communications privilege afforded under  
14 Section 115-16 of the Code of Criminal Procedure of 1963;

15           (26) Applications for and assistance by one's spouse in  
16 casting a ballot as provided under the Election Code; and

17           (27) Tuition assistance and grants afforded surviving  
18 spouses and children for educational purposes under State  
19 law.

20           (f) To the extent any of the laws of Illinois adopt, refer  
21 to, or rely upon provisions of federal law as applicable to  
22 this State, partners in a civil union shall be treated under  
23 the law of this State as if federal law recognized a civil  
24 union in the same manner as the law of this State.

25           Section 106. Requisites of a Valid Civil Union. Two persons

1 may form a civil union in Illinois if they:

2 (1) are not related by adoption or blood in any manner  
3 that would bar a civil union under Section 212 of this Act;

4 (2) are not in another civil union or marriage with any  
5 other living person;

6 (3) are not under 18 years of age.

7 Section 107. Application of Civil Practice Law.

8 (a) The Civil Practice Law applies to all proceedings under  
9 this Act, except as otherwise provided in this Act.

10 (b) A proceeding for dissolution of civil union, legal  
11 separation, or declaration of invalidity of civil union shall  
12 be entitled "In re the Civil Union of . . . and . . ." as  
13 applicable. A custody or support proceeding shall be entitled  
14 "In re the (Custody) (Support) of . . .".

15 (c) The initial pleading in all proceedings under this Act  
16 shall be denominated a petition. A responsive pleading shall be  
17 denominated a response. All other pleadings under this Act  
18 shall be denominated as provided in the Civil Practice Law.

19 PART II. CIVIL UNIONS

20 Section 201. Formalities. Notwithstanding any other  
21 provision of state law, a civil union between 2 persons of  
22 either the same sex or the opposite sex licensed, officiated,  
23 and registered as provided in this Act is valid in this State.

1           Section 202. Civil Union License and Civil Union  
2 Certificate.

3           (a) The Director of Public Health shall prescribe the form  
4 for an application for a civil union license, which shall  
5 include:

6           (1) name, sex, occupation, address, social security  
7 number, date and place of birth of each party to the  
8 proposed civil union;

9           (2) if either party was previously part of a civil  
10 union or a marriage, his or her name, and the date, place  
11 and court in which the civil union or marriage was  
12 dissolved or declared invalid or the date and place of the  
13 death of the former partner to a civil union or the former  
14 partner to a marriage;

15           (3) name and address of the parents or guardian of each  
16 party; and

17           (4) whether the parties are related to each other and,  
18 if so, their relationship.

19           (b) The Director of Public Health shall prescribe the forms  
20 for the civil union license and the civil union certificate.

21           Section 203. Civil Union License. When a civil union  
22 application has been completed and signed by both parties to a  
23 prospective civil union and both parties have appeared before  
24 the county clerk and the civil union license fee has been paid,

1 the county clerk shall issue a civil union license and a civil  
2 union certificate form upon being furnished:

3 (1) satisfactory proof that each party to the civil  
4 union will have attained the age of 18 years at the time  
5 the civil union license is effective;

6 (2) satisfactory proof that the civil union is not  
7 prohibited; and

8 (3) an affidavit or record as prescribed in  
9 subparagraph (1) of Section 205 of this Act or a court  
10 order as prescribed in subparagraph (2) of Section 205 of  
11 this Act, if applicable. Nothing in this Act shall be  
12 construed to prevent a couple who have entered into a civil  
13 union to reaffirm their commitment to one another if a new  
14 license is obtained and the civil union properly reported.

15 Section 204. Medical Information Brochures. With each  
16 civil union license, the county clerk shall provide a pamphlet  
17 describing the causes and effects of fetal alcohol syndrome.  
18 The county clerk shall also distribute free of charge, to all  
19 persons applying for a civil union license, a brochure prepared  
20 by the Department of Public Health concerning sexually  
21 transmitted diseases and inherited metabolic diseases.

22 Section 205. Exceptions.

23 (1) Irrespective of the results of laboratory tests and  
24 clinical examination relative to sexually transmitted

1 diseases, the clerks of the respective counties shall issue a  
2 civil union license to parties to a proposed civil union (a)  
3 when a woman is pregnant at the time of such application, or  
4 (b) when a woman has, prior to the time of application, given  
5 birth to a child born out of wedlock or civil union which is  
6 living at the time of such application and the man making such  
7 application makes affidavit that he is the father of such child  
8 born out of wedlock or civil union. The county clerk shall, in  
9 lieu of the health certificate required hereunder, accept, as  
10 the case may be, either an affidavit on a form prescribed by  
11 the State Department of Public Health, signed by a physician  
12 duly licensed in this State, stating that the woman is  
13 pregnant, or a copy of the birth record of the child born out  
14 of wedlock or civil union, if one is available in this State,  
15 or if such birth record is not available, an affidavit signed  
16 by the woman that she is the mother of such child.

17 (2) Any judge of the circuit court within the county in  
18 which the license is to be issued is authorized and empowered  
19 on joint application by both applicants for a civil union  
20 license to waive the requirements as to medical examination,  
21 laboratory tests, and certificates, except the requirements of  
22 paragraph (4) of subsection (a) of Section 212 of this Act and  
23 to authorize the county clerk to issue the license if all other  
24 requirements of law have been complied with and the judge is  
25 satisfied, by affidavit, or other proof, that the examination  
26 or tests are contrary to the tenets or practices of the

1 religious creed of which the applicant is an adherent, and that  
2 the public health and welfare will not be injuriously affected  
3 thereby.

4 Section 206. Records. Any health certificate filed with the  
5 county clerk, or any certificate, affidavit, or record accepted  
6 in lieu thereof, shall be retained in the files of the office  
7 for one year after the civil union license is issued and shall  
8 thereafter be destroyed by the county clerk.

9 Section 207. Effective Date of License. A civil union  
10 license becomes effective in the county where it is issued one  
11 day after the date of issuance, unless the court orders that  
12 the civil union license is effective when issued, and expires  
13 60 days after it becomes effective.

14 Section 208. (Blank).

15 Section 209. Officiation and Registration.

16 (a) A civil union may be officiated by a judge of a court  
17 of record, by a retired judge of a court of record, unless the  
18 retired judge was removed from office by the Judicial Inquiry  
19 Board, except that a retired judge shall not receive any  
20 compensation from the State, a county, or any unit of local  
21 government in return for the officiation of a civil union and  
22 there shall be no effect upon any pension benefits conferred by

1 the Judges Retirement System of Illinois, by a judge of the  
2 Court of Claims, by a county clerk in counties having 2,000,000  
3 or more inhabitants, by a public official whose powers include  
4 solemnization of marriages, or in accordance with the  
5 prescriptions of any religious denomination, Indian Nation or  
6 Tribe or Native Group, provided that when such prescriptions  
7 require an officiant, the officiant be in good standing with  
8 his or her religious denomination, Indian Nation or Tribe or  
9 Native Group. Either the person officiating the civil union,  
10 or, if no individual acting alone officiated the civil union,  
11 both parties to the civil union, shall complete the civil union  
12 certificate form and forward it to the county clerk within 10  
13 days after such civil union is officiated.

14 (b) Nothing in this Act shall be construed as to require  
15 any religious body, Indian Nation, Indian Tribe, Native Group,  
16 or officiant thereof to solemnize or officiate a civil union or  
17 to prohibit any religious body, Indian Nation, Indian Tribe,  
18 Native Group, or officiant thereof from solemnizing or  
19 officiating a civil union.

20 (c) The officiation of the civil union is not invalidated  
21 by the fact that the person officiating the civil union was not  
22 legally qualified to officiate it, if either party to the civil  
23 union believed him or her to be so qualified.

24 Section 210. Registration of Civil Union Certificate. Upon  
25 receipt of the civil union certificate, the county clerk shall

1 register the civil union. Within 45 days after the close of the  
2 month in which a civil union is registered, the county clerk  
3 shall make to the Department of Public Health a return of such  
4 civil union. Such return shall be made on a form furnished by  
5 the Department of Public Health and shall substantially consist  
6 of the following items:

7 (1) A copy of the civil union license application  
8 signed and attested to by the applicants, except that in  
9 any county in which the information provided in a civil  
10 union license application is entered into a computer, the  
11 county clerk may submit a computer copy of such information  
12 without the signatures and attestations of the applicants.

13 (2) The date and place of the civil union.

14 (3) The civil union license number.

15 A copy of the civil union registration from the county  
16 clerk or the return provided to the Department of Public Health  
17 by a county clerk shall be presumptive evidence of the civil  
18 union in all courts.

19 Section 211. Reporting. In transmitting the required  
20 returns, the county clerk shall make a report to the Department  
21 of Public Health stating the total number of civil union  
22 licenses issued during the month for which returns are made,  
23 and the number of civil union certificates registered during  
24 the month.

1 Section 212. Prohibited Civil Unions.

2 (a) The following civil unions are prohibited:

3 (1) a civil union entered into prior to the dissolution  
4 of an earlier marriage of one of the parties or the  
5 dissolution of an earlier civil union of one of the  
6 parties;

7 (2) a civil union between an ancestor and a descendant  
8 or between siblings, whether the relationship is by the  
9 half or the whole blood or by adoption;

10 (3) a civil union between an uncle and a niece, between  
11 an aunt and a nephew, between an uncle and a nephew, and  
12 between an aunt and a niece, whether the relationship is by  
13 the half or the whole blood;

14 (4) a civil union between cousins of the first degree;  
15 however, a civil union between first cousins is not  
16 prohibited if:

17 (i) both parties are 50 years of age or older; or

18 (ii) either party, at the time of application for a  
19 civil union license, presents for filing with the  
20 county clerk of the county in which the civil union is  
21 to be officiated, a certificate signed by a licensed  
22 physician stating that the party to the proposed civil  
23 union is permanently and irreversibly sterile.

24 (b) Parties to a civil union prohibited under subsection  
25 (a) of this Section who cohabit after the removal of the  
26 impediment are lawfully in a civil union as of the date of the

1 removal of the impediment.

2 (c) Children born or adopted of a prohibited civil union  
3 are the lawful children of the parties.

4 Section 213. Reciprocity. A civil union entered into  
5 outside this State, which is valid under the laws of the  
6 jurisdiction under which the civil union was created, is valid  
7 in this State.

8 PART III. AMENDATORY PROVISIONS

9 Section 301. The Illinois Marriage and Dissolution of  
10 Marriage Act is amended by changing Sections 212 and 702 as  
11 follows:

12 (750 ILCS 5/212) (from Ch. 40, par. 212)

13 Sec. 212. Prohibited Marriages.

14 (a) The following marriages are prohibited:

15 (1) a marriage entered into prior to the dissolution of  
16 an earlier marriage of one of the parties or an earlier  
17 civil union of one of the parties;

18 (2) a marriage between an ancestor and a descendant or  
19 between a brother and a sister, whether the relationship is  
20 by the half or the whole blood or by adoption;

21 (3) a marriage between an uncle and a niece or between  
22 an aunt and a nephew, whether the relationship is by the

1 half or the whole blood;

2 (4) a marriage between cousins of the first degree;  
3 however, a marriage between first cousins is not prohibited  
4 if:

5 (i) both parties are 50 years of age or older; or

6 (ii) either party, at the time of application for a  
7 marriage license, presents for filing with the county  
8 clerk of the county in which the marriage is to be  
9 solemnized, a certificate signed by a licensed  
10 physician stating that the party to the proposed  
11 marriage is permanently and irreversibly sterile;

12 (5) a marriage between 2 individuals of the same sex.

13 (b) Parties to a marriage prohibited under subsection (a)  
14 of this Section who cohabit after removal of the impediment are  
15 lawfully married as of the date of the removal of the  
16 impediment.

17 (c) Children born or adopted of a prohibited or common law  
18 marriage are the lawful children of the parties.

19 (Source: P.A. 94-229, eff. 1-1-06.)

20 (750 ILCS 5/702) (from Ch. 40, par. 702)

21 Sec. 702. Maintenance in Case of Bigamy.) When a  
22 dissolution of marriage is granted to a person who shall, in  
23 good faith, have intermarried with a person having at the time  
24 of such marriage, another spouse or spouses or partner in a  
25 civil union or partners in a civil union living, the court may,

1 nevertheless, allow the petitioner maintenance in the same  
2 manner as in other cases of dissolution of marriage; but no  
3 such allowance shall be made as will be inconsistent with the  
4 rights of such other spouse or spouses or partner in a civil  
5 union or partners in a civil union, which shall first be  
6 ascertained by the court before the granting of such  
7 maintenance.

8 (Source: P.A. 80-923.)

9 Section 302. The Illinois Human Rights Act is amended by  
10 changing Section 1-103 as follows:

11 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

12 Sec. 1-103. General Definitions. When used in this Act,  
13 unless the context requires otherwise, the term:

14 (A) Age. "Age" means the chronological age of a person who  
15 is at least 40 years old, except with regard to any practice  
16 described in Section 2-102, insofar as that practice concerns  
17 training or apprenticeship programs. In the case of training or  
18 apprenticeship programs, for the purposes of Section 2-102,  
19 "age" means the chronological age of a person who is 18 but not  
20 yet 40 years old.

21 (B) Aggrieved Party. "Aggrieved party" means a person who  
22 is alleged or proved to have been injured by a civil rights  
23 violation or believes he or she will be injured by a civil  
24 rights violation under Article 3 that is about to occur.

1 (C) Charge. "Charge" means an allegation filed with the  
2 Department by an aggrieved party or initiated by the Department  
3 under its authority.

4 (D) Civil Rights Violation. "Civil rights violation"  
5 includes and shall be limited to only those specific acts set  
6 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,  
7 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this  
8 Act.

9 (E) Commission. "Commission" means the Human Rights  
10 Commission created by this Act.

11 (F) Complaint. "Complaint" means the formal pleading filed  
12 by the Department with the Commission following an  
13 investigation and finding of substantial evidence of a civil  
14 rights violation.

15 (G) Complainant. "Complainant" means a person including  
16 the Department who files a charge of civil rights violation  
17 with the Department or the Commission.

18 (H) Department. "Department" means the Department of Human  
19 Rights created by this Act.

20 (I) Handicap. "Handicap" means a determinable physical or  
21 mental characteristic of a person, including, but not limited  
22 to, a determinable physical characteristic which necessitates  
23 the person's use of a guide, hearing or support dog, the  
24 history of such characteristic, or the perception of such  
25 characteristic by the person complained against, which may  
26 result from disease, injury, congenital condition of birth or

1 functional disorder and which characteristic:

2 (1) For purposes of Article 2 is unrelated to the  
3 person's ability to perform the duties of a particular job  
4 or position and, pursuant to Section 2-104 of this Act, a  
5 person's illegal use of drugs or alcohol is not a handicap;

6 (2) For purposes of Article 3, is unrelated to the  
7 person's ability to acquire, rent or maintain a housing  
8 accommodation;

9 (3) For purposes of Article 4, is unrelated to a  
10 person's ability to repay;

11 (4) For purposes of Article 5, is unrelated to a  
12 person's ability to utilize and benefit from a place of  
13 public accommodation.

14 (J) Marital Status. "Marital status" means the legal status  
15 of being married, partnered in a civil union, single,  
16 separated, divorced or widowed.

17 (J-1) Military Status. "Military status" means a person's  
18 status on active duty in or status as a veteran of the armed  
19 forces of the United States, status as a current member or  
20 veteran of any reserve component of the armed forces of the  
21 United States, including the United States Army Reserve, United  
22 States Marine Corps Reserve, United States Navy Reserve, United  
23 States Air Force Reserve, and United States Coast Guard  
24 Reserve, or status as a current member or veteran of the  
25 Illinois Army National Guard or Illinois Air National Guard.

26 (K) National Origin. "National origin" means the place in

1 which a person or one of his or her ancestors was born.

2 (L) Person. "Person" includes one or more individuals,  
3 partnerships, associations or organizations, labor  
4 organizations, labor unions, joint apprenticeship committees,  
5 or union labor associations, corporations, the State of  
6 Illinois and its instrumentalities, political subdivisions,  
7 units of local government, legal representatives, trustees in  
8 bankruptcy or receivers.

9 (M) Public Contract. "Public contract" includes every  
10 contract to which the State, any of its political subdivisions  
11 or any municipal corporation is a party.

12 (N) Religion. "Religion" includes all aspects of religious  
13 observance and practice, as well as belief, except that with  
14 respect to employers, for the purposes of Article 2, "religion"  
15 has the meaning ascribed to it in paragraph (F) of Section  
16 2-101.

17 (O) Sex. "Sex" means the status of being male or female.

18 (O-1) Sexual orientation. "Sexual orientation" means  
19 actual or perceived heterosexuality, homosexuality,  
20 bisexuality, or gender-related identity, whether or not  
21 traditionally associated with the person's designated sex at  
22 birth. "Sexual orientation" does not include a physical or  
23 sexual attraction to a minor by an adult.

24 (P) Unfavorable Military Discharge. "Unfavorable military  
25 discharge" includes discharges from the Armed Forces of the  
26 United States, their Reserve components or any National Guard

1 or Naval Militia which are classified as RE-3 or the equivalent  
2 thereof, but does not include those characterized as RE-4 or  
3 "Dishonorable".

4 (Q) Unlawful Discrimination. "Unlawful discrimination"  
5 means discrimination against a person because of his or her  
6 race, color, religion, national origin, ancestry, age, sex,  
7 marital status, handicap, military status, sexual orientation,  
8 or unfavorable discharge from military service as those terms  
9 are defined in this Section.

10 (Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06;  
11 94-803, eff. 5-26-06.)

12 PART IV. MISCELLANEOUS

13 Section 401. Construction. This Act and the rules now or  
14 hereafter applicable thereto shall be liberally construed to  
15 secure to eligible couples the option of a legal status with  
16 all the attributes and effects, protections, benefits, and  
17 responsibilities of marriage. Partners in a civil union shall  
18 have all the same protections, benefits, and responsibilities  
19 under State law, whether derived from statute, administrative  
20 or court rule, policy, common law, or any other source of civil  
21 or criminal law, as granted to spouses in marriage. Further,  
22 this Act is intended to extend to partners in a civil union the  
23 protections, benefits, and responsibilities that flow from  
24 marriage.

1           Section 402. Severability. If any part of this Act or its  
2 application to any person or circumstance is adjudged invalid,  
3 such adjudication or application shall not affect the validity  
4 of this Act as a whole or of any other part.

5           Section 403. Effective date. This Act takes effect on  
6 January 1, 2008.